

FILED  
U.S. DISTRICT COURT

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

JUL 15 A.D. 25  
DISTRIBUTED BY MAIL

ROBERT AUSTIN BARTLETT,

Plaintiff,

vs.

THOMAS EDWARD WELLS and RUTH  
ALICE WELLS FAMILY TRUSTS & RUTH  
SIXSTONE-WELLS JOINT AND  
SEVERAL; ROKNEBO, INC; RUTH  
SIXSTONE-WELLS; YARN COMPANY  
OF PALM DESERT, LLC; MAHLER  
CORPORATION; MATT H. MORRIS; THE  
J. WELLS & WELLS COLLECTION; AND  
DOES 1-10;

Defendants.

ORDER ADOPTING REPORT AND  
RECOMMENDATION

Case No. 2:08 CV 367 TC

The court referred this case to Magistrate Judge Samuel Alba pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B). Before the court is Defendants' motion for \$3,882.50 in attorney fees. This court adopted a previous report and recommendation that awarded Defendants their costs and attorneys fees associated with the Defendants' motion to dismiss.<sup>1</sup>

On June 19, 2009, Judge Alba, in a very thorough Report and Recommendation,

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<sup>1</sup>Dkt. 26

recommended that Defendants motion for attorney fees be granted and they be awarded \$3,882.50 in attorney fees which the court found to be reasonable. The parties were given ten days to file objections to the Report and Recommendation and were cautioned that failure to file an objection could constitute waiver thereof upon subsequent review. No objections have been filed.

The court has carefully reviewed the Report and Recommendation<sup>2</sup> in this matter and agrees with the recommendation of the Magistrate Judge. The Report and Recommendation is adopted as the order of the court. Defendants motion for attorney fees is GRANTED. Defendants are awarded attorney fees in the amount of \$3,882.50

IT IS SO ORDERED THIS 15th day of July, 2009.

BY THE COURT:



TENA CAMPBELL  
Chief Judge

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<sup>2</sup>(Dkt. 30)